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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/715,851	11/19/2003	Yoshinao Kobayashi	028567-0122	3960

2292 7590 12/14/2004

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EXAMINER

TRAN, THUY V

ART UNIT PAPER NUMBER

2821

DATE MAILED: 12/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/715,851	<b>Applicant(s)</b> KOBAYASHI ET AL.	
	<b>Examiner</b> Thuy V. Tran	<b>Art Unit</b> 2821	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 November 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/19/2003</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This is a response to the Applicant's filing on 11/19/2003. In virtue of this filing, claims 1-18 are currently presented in the instant application.

Upon the findings that all the independent claims 1, 9, 12, 14, 16, and 18 are mis-descriptive (based on the information provided in the submitted specification and drawings; e.g. Fig. 2), the Examiner initiated a telephone call and held a teleconference on 12/09/2004 with Mr. Hyung Sohn (Reg. No. 44,346) to expectedly discuss about the corrections to be made to the claims so as to clearly define the claimed invention and to facilitate the determination of allowability for the instant application. However, the result was unsuccessful and Mr. Hyung Sohn advised the Examiner to go forward for an Office Action.

#### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

#### ***Inventorship***

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

***Information Disclosure Statement***

3. The information disclosure statement (IDS) submitted on 11/19/2003 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

***Drawings Objection***

4. The drawings are objected to because Figs. 13 and 14A-14B are not labeled correctly.

5. Figures 13 and 14A-14B should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.121(d)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Objections/ Minor Informalities***

6. Claims 2-3, 5, 9, 10, and 16 are objected to because of the following informalities:

Claim 2, line 5, "the" (third occurrence) should be changed to --one--;

Claim 3, line 3, "a" (second occurrence) should be changed to --the--;

Claim 5, line 3, "a" (second occurrence) should be changed to --the--;

Claim 9, line 29, "the" (first occurrence) should be changed to --a--;

Claim 10, line 6, "to" should be replaced with --, the second, and--;

Claim 10, line 9, "to" should be replaced with --, the second, and--; and

Art Unit: 2821

Claim 16, lines 27 and 31, “device” should be changed to --element-- (for terminology consistency).

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

8. Claims 1-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With respect to claim 1, the recitations “an electroluminescent element whose one terminal is connected to a source of the drive transistor” in lines 11-12, and “a drain of the drive transistor and other terminal of the capacitor are connected to a scan line next to the one of the scan lines” in lines 17-18 render the claim indefinite since such a configuration description is believed to be mis-descriptive. In light of the submitted specification, the electroluminescent element has a cathode side connected to the drain of the drive TFT (not source as recited; see page 16, lines 11-12), the capacitor is connected between the source and the gate of the drive TFT, and the source (not drain as recited) of the drive TFT is connected to the scan line (see page 16, lines 8-12). For a proper characterization of the claimed invention, clarification is required.

Claims 2-8 are also rejected under 35 U.S.C. 112, 2<sup>nd</sup> paragraph, since they are dependent on claim 1.

With respect to claim 9, the recitations “an electroluminescent element whose one terminal is connected to a source of the drive transistor” in lines 11-12, and “each of the write

Art Unit: 2821

scan lines being arranged in a pair with each of the select scan lines and being connected to a drain of the drive transistor and other terminal of the capacitor” in lines 13-16 render the claim indefinite since such a configuration description is believed to be mis-descriptive. In light of the submitted specification, the electroluminescent element has a cathode side connected to the drain of the drive TFT (not source as recited; see page 16, lines 11-12), the capacitor is connected between the source and the gate of the drive TFT, and the source (not drain as recited) of the drive TFT is connected to the scan line (see page 16, lines 8-12). For a proper characterization of the claimed invention, clarification is required.

Claims 10-11 are also rejected under 35 U.S.C. 112, 2<sup>nd</sup> paragraph, since they are dependent on claim 9.

With respect to claim 12, the recitations “an electroluminescent element whose one terminal is connected to a source of the drive transistor” in lines 11-12, and “each of the common lines being connected to a drain of the drive transistor and other terminal of the capacitor” in lines 13-15 render the claim indefinite since such a configuration description is believed to be mis-descriptive. In light of the submitted specification, the electroluminescent element has a cathode side connected to the drain of the drive TFT (not source as recited; see page 16, lines 11-12), the capacitor is connected between the source and the gate of the drive TFT, and the source (not drain as recited) of the drive TFT is connected to the scan line (see page 16, lines 8-12). For a proper characterization of the claimed invention, clarification is required.

Claim 13 is also rejected under 35 U.S.C. 112, 2<sup>nd</sup> paragraph, since it is dependent on claim 12.

Art Unit: 2821

With respect to claim 14, the recitation “an electroluminescent element whose one terminal is connected to a source of the drive transistor, wherein a drain of the drive transistor and other terminal of the capacitor are connected to a scan line next to the one of the scan lines” in lines 12-15 renders the claim indefinite since such a configuration description is believed to be mis-descriptive. In light of the submitted specification, the electroluminescent element has a cathode side connected to the drain of the drive TFT (not source as recited; see page 16, lines 11-12), the capacitor is connected between the source and the gate of the drive TFT, and the source (not drain as recited) of the drive TFT is connected to the scan line (see page 16, lines 8-12). For a proper characterization of the claimed invention, clarification is required.

Claim 15 is also rejected under 35 U.S.C. 112, 2<sup>nd</sup> paragraph, since it is dependent on claim 14.

With respect to claim 16, the recitation “an electroluminescent element whose one terminal is connected to a source of the drive transistor ... and being connected to a drain of the drive transistor and other terminal of the capacitor” in lines 12-17 renders the claim indefinite since such a configuration description is believed to be mis-descriptive. In light of the submitted specification, the electroluminescent element has a cathode side connected to the drain of the drive TFT (not source as recited; see page 16, lines 11-12), the capacitor is connected between the source and the gate of the drive TFT, and the source (not drain as recited) of the drive TFT is connected to the scan line (see page 16, lines 8-12). For a proper characterization of the claimed invention, clarification is required.

Claim 17 is also rejected under 35 U.S.C. 112, 2<sup>nd</sup> paragraph, since it is dependent on claim 16.

Art Unit: 2821

With respect to claim 18, the recitation “an electroluminescent element whose one terminal is connected to a source of the drive transistor ... each of the common lines being connected to a drain of the drive transistor and the other terminal of the capacitor” in lines 12-16 renders the claim indefinite since such a configuration description is believed to be mis-descriptive. In light of the submitted specification, the electroluminescent element has a cathode side connected to the drain of the drive TFT (not source as recited; see page 16, lines 11-12), the capacitor is connected between the source and the gate of the drive TFT, and the source (not drain as recited) of the drive TFT is connected to the scan line (see page 16, lines 8-12). For a proper characterization of the claimed invention, clarification is required.

*Citation of relevant prior art*

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Prior art Chang (Pub. No.: US 2004/0051690 A1) discloses a driving circuit and method of driving display device.

Prior art Asano et al. (Pub. No.: US 2002/0190924 A1) discloses an active matrix display device.

Prior art Asano et al. (U.S. Patent No. 6,768,482) discloses an active matrix display device.

Prior art Hashimoto (U.S. Patent No. 6,633,270) discloses a display device.

Prior art Yamada et al. (U.S. Patent No. 5,990,629) discloses an electroluminescent display device and a driving method thereof.



Art Unit: 2821

***Remarks on defective claims***

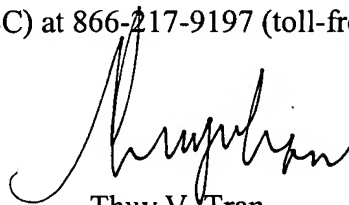
10. Claims 1-18 are not provided with either rejection(s) over art or indicated allowable subject matter since all independent claims 1, 9, 12, 14, 16, and 18 are defective.

***Inquiry***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy V. Tran whose telephone number is (571) 272-1828. The examiner can normally be reached on M-F (8:00 AM -5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Thuy V. Tran  
Primary Examiner  
Art Unit 2821

12/12/2004